

5885 Edenfield Rd., Apt. B-29
Jacksonville, Fla. 32211

June 25, 1977

Mr. Robert O. Goff
FOI/PA Officer
Office of Public Affairs
U.S. Secret Service
1800 G Street, N.W. Room 908
Washington, D.C. 20223

Dear Mr. Goff:

Thank you for your letter of June 20, 1977, informing me of the proper format for FOIA requests. Since your letter suggests that my FOIA request dated June 15, 1977, did not comply with the proper format, I will address each of your numbered points in the hope that we can get the ball rolling with my request.

1. I am in the process of obtaining an authorization signed by Mr. Weisberg and will forward it to you as soon as I receive it.

2. As stated before, my request is pursuant to 5 U.S.C. § 552.

3. My request was properly addressed.

4. You ask that I "reasonably describe the records in sufficient detail to enable Secret Service employees to locate the records." I believe that I have done this to the best of my ability. Please understand that I do not know how the Secret Service files its records, so I am not in a position to tell you which files to go to. Similarly, I do not know precisely what records exist so I cannot be specific in that regard. Having the details provided in my letter of June 15, you should be able to apply logic in making the search. I will try to be more specific:

a) My request included all correspondence between the Secret Service and Mr. Weisberg concerning his efforts to obtain the memo of transfer. I assume the Secret Service keeps correspondence files; surely it has such a file for Mr. Weisberg.

b) The memo of transfer was obviously a matter of considerable concern within the government, as is evidenced by the meeting described in Mr. Kelley's memorandum of Feb. 13, 1969. Mr. Kelley wrote his memorandum for the files, and I presume he made more than the one copy sent to me. He also had other dealings concerning the memo of transfer and presumably made other writings, such as letters to the Archives. He ought to know where such papers are filed and he can be consulted on this point.

c) Withholding of the memo of transfer involved a legal decision, which necessarily means that some legal research had to be done and opinions rendered. Normally, such opinions are at least committed to paper in the form of memoranda. Someone had to prepare such opinions and file them, unless I am unwarranted in assuming that an agency

such as the Secret Service keeps a filing system which enables it to retrieve information essential to decisions it has or will have to make. The Secret Service and the Archives were withholding the memo of transfer while Mr. Weisberg was seeking access to it under the FOIA. The Secret Service eventually forwarded a copy of the memo of transfer to the Archives. Along the way I assume there were consultations between those two agencies and probably with the Justice Department as well. Along the way I also assume the Secret Service was interested in the validity of the position it was taking regarding the FOIA and the memo of transfer. Real people were involved in making these agencies decisions, and those people ought to know what records were kept and where they were filed.

I assure you, Mr. Goff, that I do not mean to be facetious, but I hasten to remind you that you are listed as a participant, in your capacity as Secret Service legal counsel, in the Feb. 12, 1969, meeting at which the memo of transfer was discussed. I do not feel unjustified in assuming that you, who are now the FOIA Officer of the Secret Service, know considerably more about the records I am seeking than do I. It is not as if I am asking a third party who has absolutely no knowledge of the subject matter of my request to rummage through the files.

5. The address to be used in connection with this request is my current Jacksonville address, unless I notify you otherwise.

6. I wish to have copies made and furnished to me without my first inspecting them.

7. I firmly agree to pay proper fees for search and duplication. I do not, however, waive my right to seek a waiver or reduction of fees if I feel that the documents furnished me meet the standards for such waiver or reduction.

You have my permission to process this request up to 10 hours of search time. I would like to be notified when it becomes necessary to consume more search time and provided with an estimate as to the additional time anticipated.

Sincerely,

Howard Roffman